
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACOB KINGSTON, et al.,

Defendants.

Case No. 2:18-cr-00365-JNP-DAO

ORDER REGARDING ANCILLARY
PROCEEDING PROCEDURES

Judge Jill N. Parrish

Magistrate Judge Daphne A. Oberg

Grigor Termendjian,
Gilbert Island Property, LLC,
Desert Properties Holding, LLC,
Stellar Court, LLC,
Century Energy, Inc.,
New Washsachie Ranch,
Latter Day Church of Christ,
M.S.C., Inc.,
N.P.M.C., Inc.,
Ruth Davis,
Naura Gustafson,
Nichole Peterson,
Heather Larsen,
Kent Johnson,
Jolene Andrews,
Jeremy O. Andrews,
Amanda Penrose,
ABM, Inc.,
Bank of Utah,
US Tank and Rail,
Security Investment Corporation,
American Chemical, LLC,
Alliance Investments, LLC,
Safeco Investments, Inc.,
Rocky Mountain Eye Center,
Fidelity Funding Company, and
Zubair Kazi,

Third-Party Petitioners.

Before the court is the government's motion to adopt its proposed schedule and procedures for conducting the ancillary proceedings in this case. ECF No. 1541. The court GRANTS IN PART and DENIES IN PART the government's motion.

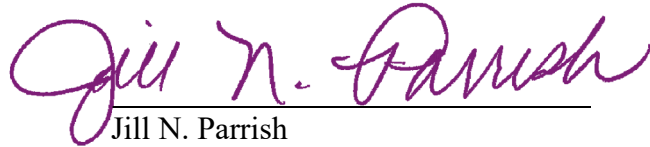
The government proposes setting a deadline of October 27, 2023 to file any motion to dismiss a petition to modify the preliminary order of forfeiture in this case. Almost all of the third-party petitioners have either acquiesced to the proposal made by the government or have not stated a position on the ancillary proceedings schedule. New Washakie Ranch (NWR), however, objects to the government's proposed schedule. It argues for a more expedited schedule because its property has been subject to a restraining order for a lengthy period of time.

The court agrees with NWR that its petition should be expedited. The court ORDERS that the government shall have until July 18, 2023 to file any motion to dismiss NWR's petition. If the government files a motion to dismiss by this date, the response shall be due by August 1, 2023, and any reply brief shall be due by August 11, 2023. If the government does not file a motion to dismiss by July 18, 2023, the court shall set a schedule to complete discovery related to the NWR petition.

For all other petitions, the government shall have until October 27, 2023 to file motions to dismiss. If the government does not file a motion to dismiss a petition by this date, the court shall set a schedule to complete discovery for that petition.

DATED June 28, 2023.

BY THE COURT:

A handwritten signature in purple ink, reading "Jill N. Parrish", is written over a horizontal line.

Jill N. Parrish
United States District Judge